Cumulative Table of Cases Connecticut Reports Volume 342

(Replaces Prior Cumulative Table)

Allstate Ins. Co. v. Tenn	292
owners insurance policy. Baker v. Cayo (Order) Baker v. Shakir (Order) (See Baker v. Cayo) Baltas v. Commissioner of Correction (Order)	911 911 911 902
Berka v. Waterbury (Order). Caverly v. State. Wrongful death; medical malpractice; sovereign immunity; notice of claim for permission from claims commissioner to file action against state in connection with state employees' alleged negligence in prescribing certain medications to plaintiff's decedent; whether trial court properly denied state's motion to dismiss for lack of subject matter jurisdiction on basis of sovereign immunity; whether plaintiff's medical malpractice claim against state was "indirectly paid by a third party" within meaning of statute ((Rev. to 2017) § 4-160b (a)), when plaintiff brought and settled separate negligence action against pharmacy that had filled decedent's prescriptions.	226
Christiana Trust v. Bliss (Order)	902
Chugh v. Kalra. Breach of partnership agreement; breach of fiduciary duty; libel per se; compensatory damages; punitive damages; motion to set aside verdict; whether named plaintiff's claims were barred by federal compulsory counterclaim rule (Fed. R. Civ. P. 13 (a) (1)) on ground that they were compulsory counterclaims in related federal action; whether breach of partnership agreement and breach of fiduciary duty claims failed as matter of law under Karanian v. Maulucci (185 Conn. 320); claim that partnership that had been created ceased to exist when named plaintiff and named defendant incorporated certain entities; claim that trial court abused its discretion in admitting testimony of named plaintiff's expert on damages in connection with named plaintiff's libel per se claim; whether there was sufficient evidence to support expert's testimony as to certain lost profit.	815
Commission on Human Rights & Opportunities v. Edge Fitness, LLC	25
Connex Credit Union v. Thibodeau (Order)	903 906 67

making or adjudicatory procedures, nor reasonable; claim that retirement com- mission, as fiduciary of plaintiffs, former state employees, had burden of proving fair dealing by clear and convincing evidence with respect to commission's use of unwritten practice regarding when disability retirement benefits become payable.	
Dorfman v. Smith	582
Underinsured motorist benefits; breach of insurance contract; breach of implied covenant of good faith and fair dealing; negligent infliction of emotional distress; violation of Connecticut Unfair Trade Practices Act (CUTPA) (§ 42-110a et seq.) based on violation of Connecticut Unfair Insurance Practices Act (§ 38a-815 et seq.); whether trial court properly dismissed plaintiff's claims for breach of implied covenant of good faith and fair dealing, negligent infliction of emotional distress, and violation of CUTPA against defendant insurance company on ground that litigation privilege barred those claims and deprived court of subject matter jurisdiction; whether plaintiff's claim that defendant's allegedly systemic abuse of judicial process challenged defendant's conduct in defending against underinsured motorist claim, rather than purpose of judicial proceedings; whether there existed safeguards other than civil liability to deter or preclude misconduct or to provide relief from defendant's alleged misconduct.	902
1st Alliance Lending, LLC v. Dept. of Banking	273
Mortgage lending; automatic suspension and revocation of plaintiff's license to serve as mortgage lender in Connecticut; whether statute (§ 36a-492) directing Commissioner of Banking to suspend license of mortgage lender when its surety bond is cancelled, unless lender has surrendered it license, and relevant statutory scheme, provided commissioner with legal authority to suspend and revoke plaintiff's mortgage lender license; whether commissioner should not be permitted to decline to take action on mortgage lender's request to surrender its license; whether trial court correctly concluded that Department of Banking was not estopped from suspending and revoking plaintiff's mortgage lender license on basis of representations that department made in letter to plaintiff.	
	771
Grant v. Commissioner of Correction	771
Habeas corpus; claim that petitioner entered plea to risk of injury to child and strangulation in third degree and opted not to proceed to trial on basis of trial counsel's ineffective assistance; claim that trial counsel failed to inquire about petitioner's immigration status and failed to properly advise him of immigration consequences of his plea; whether habeas court properly denied petitioner's habeas petition; whether petitioner failed to meet his burden of establishing that, but for trial counsel's allegedly deficient performance, there was reasonable probability that he would have rejected plea offer and proceeded to trial.	
Goodwin v. Fedus (Order)	902
High Ridge Real Estate Owner, LLC v. Board of Representatives	423
HSBC Bank USA, N.A. v. Cardinal (Order)	908
In re Emily S. (Order)	911
In re Ivory W. Termination of parental rights; motion for continuance; claim that trial court deprived respondent of her due process rights under federal and state constitutions when it denied her motion for continuance of termination of parental rights proceeding pending conclusion of related federal criminal proceeding; whether specific analytical framework of United States Supreme Court's penalty cases governed this court's analysis of respondent's federal due process claim; claim that trial court abused its discretion in denying respondent's motion for continuance; respondent's request that this court exercise its supervisory authority over administration of justice to require trial courts to grant motions for continuance of termination of parental rights proceedings whenever respondent has invoked his or her fifth amendment privilege against self-incrimination in connection with related criminal proceeding.	692
In re Onyx KA. (Order)	907
In re Petition of Reapportionment Commission Ex Rel	271

n re Riley B	333
Motion to intervene in juvenile case filed by biological mother of minor child after her parental rights with respect to child were terminated in effort to seek postter-	
mination visitation order; dismissal of motion to intervene on grounds of res judicata; whether biological mother had party status necessary to support this	
court's jurisdiction over appeal from dismissal of motion to intervene; whether	
mother had colorable claim to intervention as of right in child's juvenile case;	
appeal dismissed for lack of subject matter jurisdiction.	
Kiyak v . Dept. of Agriculture (Order)	909
Marshall v. Commissioner of Motor Vehicles (Order)	912
McLoughlin v. Planning & Zoning Commission	737
Zoning; appeal from decision of defendant planning and zoning commission denying plaintiffs' application for special permit to construct crematory in industrial zone; claim that Appellate Court misinterpreted and improperly expanded its holding in St. Joseph's High School, Inc. v. Planning & Zoning Commission (176 Conn. App. 570), in which Appellate Court concluded that planning and zoning commission may deny special permit application on basis of noncompliance	
with general standards contained in zoning regulations; claim that Appellate	
Court incorrectly concluded that planning and zoning commission's denial of plaintiffs' special permit application was supported by substantial evidence; whether evidence relied on by planning and zoning commission in denying plaintiffs' special permit application constituted fact based and site specific evidence or mere worry and speculation.	
O. A. v. J. A	45
Dissolution of marriage; pendente lite orders of alimony, attorney's fees, and expert fees; claim that trial court incorrectly determined that it did not need to consider enforceability of parties' postnuptial agreement prior to awarding plaintiff pendente lite alimony and litigation expenses; whether trial court properly relied	
on Fitzgerald v. Fitzgerald (169 Conn. 147) and acted within its discretion in	
deferring its decision on enforceability of parties' postnuptial agreement until end of trial.	
Peek v. Manchester Memorial Hospital	103
Negligence; statute of limitations ((Rev. to 2015) § 52-584); motion for summary	100
judgment; claim that plaintiff's action was barred by two year limitation period set forth in § 52-584; certification from Appellate Court; whether Appellate Court correctly construed term "injury" in § 52-584 to mean actionable harm, consistent with this court's decision in Lagassey v. State (268 Conn. 723); whether Appellate Court correctly concluded that, viewing facts in light most favorable to plaintiff, there was genuine issue of material fact regarding whether plaintiff commenced her action within two years from date of her "injury," as that term is understood in context of § 52-584; claim that Appellate Court improperly applied failure to	
diagnose or latent injury cases to facts of this case; claim that facts of present case were similar to those in Burns v. Hartford Hospital (192 Conn. 451), in which court determined that limitation period set forth in § 52-584 started running when plaintiff sustained injuries; claim that this court in Lagassey improperly neglected to apply statutory (§ 1-2z) plain meaning rule and to interpret term "injury" in § 52-584 to mean hurt, damage, or loss sustained.	
Poce v. O & G Industries, Inc. (Order)	910
Ponns Cohen v. Cohen	354
Dissolution of marriage; appeal from judgment of dissolution; unpreserved claim that trial court improperly prejudged plaintiff's credibility and displayed judicial bias during dissolution proceedings; whether plain error doctrine required reversal of trial court's judgment; whether certain of court's comments directed to plaintiff during dissolution proceedings constituted obvious error resulting in	
manifest injustice.	
Reid v. Speer (Order)	908
Smulley v. Safeco Ins. Co. of Illinois (Order)	907
Speer v. Teiger (Order)	903
State v. Alvarez (Order)	905
State v. Andres C. (Order)	901
State v. Belcher	1
robbery first degree; burglary first degree; attempt to commit sexual assault first degree; whether trial court abused its discretion in denying defendant's motion	
to correct illegal sentence; claim that sentencing court substantially relied on	

materially false information in sentencing defendant, in violation of his right to due process; claim that sentencing court's reliance on superpredator theory, concerning rise of teenage male predatory street criminals who would terrorize society, and sentencing court's characterization of defendant as charter member of that group of superpredators, warranted resentencing.	160
Murder; criminal possession of pistol or revolver; claim that trial court abused its discretion in admitting testimony of four lay witnesses identifying defendant as one of persons depicted in surveillance video of interior and exterior of night-club where shooting took place insofar as their testimony improperty embraced ultimate issue to be decided by jury, in violation of Connecticut Code of Evidence (§ 7-3 (a)); claim that trial court improperty admitted expert testimony of forensic examiner regarding enhanced video that he compiled from raw surveillance footage of nightclub where shooting took place, insofar as examiner's testimony invaded province of jury; claim that trial court incorrectly concluded that defense counsel had opened door to certain of forensic examiner's testimony on redirect examination; claim that trial court abused its discretion in denying defendant's request for special credibility instruction as to witness who defendant claimed should have been treated as jailhouse informant; claim that trial court improperty denied defendant's motion to suppress out-of-court and in-court identifications of defendant made by victim's cousin; claim that there was insufficient evidence to support defendant's conviction of criminal possession of pistol or revolver insofar as state failed to prove beyond reasonable doubt that gun used in shooting had barrel length of less than twelve inches.	169
naa varret tength of tess than twelve inches.	000
State v. Carrillo (Order)	909 538
State v. Daniels	558
duct with motor vehicle; certification from Appellate Court; claim that jury's guilty verdict was legally inconsistent in that each offense required mutually exclusive mental states; whether Appellate Court, having found that defendant's conviction of reckless manslaughter and misconduct with motor vehicle was legally inconsistent, improperly ordered new trial on those counts and intentional manslaughter conviction, which trial court had vacated pursuant to State v. Polanco (308 Conn. 242), rather than reinstating defendant's vacated intentional manslaughter conviction; whether defendant's conviction of intentional manslaughter and reckless manslaughter was legally inconsistent; whether defendant's conviction of intentional manslaughter and misconduct with motor vehicle was legally inconsistent.	
State v. Fisher	239
Assault second degree; claim that there was insufficient evidence to support defendant's conviction of assault in second degree; whether jury reasonably could have found beyond reasonable doubt that defendant had intended to cause victim to suffer serious physical injury; claim that trial court improperly limited defense counsel's cross-examination of victim regarding her pending civil action against defendant, which arose out of same incident that formed basis for defendant's conviction; claim that trial court improperly precluded admission of complaint in victim's civil action against defendant; whether claimed error was of constitutional magnitude; claim that trial court improperly allowed certain witness to provide expert testimony regarding symptoms of concussions.	
State v. Gore	129
Murder; criminal possession of firearm; claim that trial court improperly admitted police officer's testimony regarding witness' statement identifying defendant in still photograph taken from surveillance video on ground that it constituted lay opinion testimony embracing ultimate issue to be decided by trier of fact; claim that trial court improperly denied defendant's motion for mistrial and new trial based on alleged juror misconduct.	
State v. Gray	657
Felony murder; attempt to commit robbery first degree; conspiracy to commit robbery first degree; carrying pistol without permit; unpreserved claim that trial court had violated defendant's federal constitutional right to due process by detaining material witnesses who were reluctant to testify, pursuant to material witness statute (§ 54-82j) or capias statute (§ 52-143 (e)) in order to secure their attendance at trial; whether detention of witnesses had coercive influence over substance of witnesses' testimony, rather than mere effect of having them appear in court: claim that trial court improperly admitted, pursuant to State v. Whelan	
oomi, owin new men court improperty willing, parawin to state t. Wilciail	

its discretion in admitting portions of grand jury testimony that were consistent	
with witnesses' in-court testimony so as to avoid confusing jury; whether trial	
court abused its discretion in admitting transcripts of witnesses' grand jury	
testimony after prosecutor reenacted that testimony in court.	
State v. Holmes (Order)	909
State v. James K. (Order)	904
State v. Jose A. B	489
Sexual assault first degree; sexual assault fourth degree; attempt to commit sexual	
assault first degree; risk of injury to child; claim that trial court improperly overruled objections, pursuant to Batson v. Kentucky (476 U.S. 79), to prosecutor's use of peremptory challenges to excuse two prospective jurors who were members of a racial minority; whether prospective juror's distrust of law enforcement and/or criminal justice system constitutes race neutral reason for exercising peremptory challenge under Connecticut constitution; Batson reform in Connecticut, including report by Jury Selection Task Force, appointed by Chief Justice pursuant to State v. Holmes (334 Conn. 202), proposing new rule of practice to address role of implicit bias and disparate impact on basis of race or ethnicity	
in jury selection; whether prosecutor's proffered explanations for peremptory challenges were pretext for discrimination; claim that sexual assault in first degree and sexual assault in fourth degree constituted same offense as risk of injury to child under Blockburger v. United States (284 U.S. 299), notwithstanding distinct elements of each of those offenses, because of how each charge was	
alleged by state in information.	
State v. Marshall (Order)	901
State v. McCarthy (Order)	910
State v. Omar (Order)	906
State v. Patel	445
Murder; home invasion; burglary first degree as accessory; robbery first degree as	
accessory; conspiracy to commit burglary first degree; tampering with physical evidence; certification from Appellate Court; whether Appellate Court correctly	
concluded that trial court had properly admitted dual inculpatory statement	
made by codefendant to codefendant's fellow inmate; whether admission of code-	
fendant's statement violated defendant's confrontation rights under United States	
$or {\it Connecticut constitution}; whether {\it trial court abused its discretion in admitting}$	
codefendant's statement as statement against penal interest under applicable	
provision (§ 8-6 (4)) of Connecticut Code of Evidence; whether Appellate Court	
correctly concluded that trial court had properly excluded confession made by defendant's cousin to defendant's sister, which defendant offered as statement	
against penal interest under \S 8-6 (4).	
State v. Reed (Order)	904
State v. Rosario (Order)	901
State v. Smith (Order).	905
State v. Stephenson (Order)	912
State v. Taveras	563
Violation of probation; breach of peace second degree; first amendment; true threats;	
whether Appellate Court correctly concluded that defendant's remarks warranted	
$protection\ under first\ amendment\ to\ United\ States\ constitution;\ whether\ Appellate$	
Court improperly reversed judgments of trial court revoking defendant's pro-	
bation. State v. Tyus	784
Murder; certification from Appellate Court; whether Appellate Court correctly con-	104
cluded that trial court had not improperly joined for trial defendant's case with	
that of codefendant; claim that joinder was improper because certain admission	
$by\ code fendant\ was\ not\ admissible\ in\ defendant's\ case\ under\ coconspirator\ excep-$	
tion to hearsay rule; claim that defendant's rights under fourth amendment to	
United States constitution were violated by virtue of admission of information	
regarding location of defendant's cell phone when that information was secured without warrant: whether admission of information regarding location of defend-	
ant's cell phone was harmless beyond reasonable doubt; whether Appellate Court	
correctly concluded that defendant's right to confrontation was not violated when	
trial court allowed employee of state forensic laboratory to testify about findings	
of ballistics analyst with same laboratory who was unavailable to testify at	
defendant's trial; whether admission of testimony in violation of defendant's	
right to confrontation was harmless beyond reasonable doubt.	

Strand/BRC Group, LLC v. Board of Representatives	365
ment was invalid.	
Tatoian v. Tyler (Order)	908
Walzer v. Walzer (Order)	907